

Exhibit 3

H.R. CONF. REP. 109-265, H.R. Conf. Rep. No. 265, 109TH Cong., 1ST Sess. 2005, 2005 U.S.C.C.A.N. 1019, 2005 WL 2917522 (Leg.Hist.)

*1 MAKING APPROPRIATIONS FOR FOREIGN OPERATIONS, EXPORT FINANCING,
AND RELATED PROGRAMS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2006, AND
FOR
OTHER PURPOSES

HOUSE CONFERENCE REPORT NO. 109-265
November 2, 2005

Mr. Kolbe, from the committee of conference, submitted the following

CONFERENCE REPORT

[To accompany H.R. 3057]

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 3057) "making appropriations for foreign operations, export financing, and related programs for the fiscal year ending September 30, 2006, and for other purposes", having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:
That the House recede from its disagreement to the amendments of the Senate to the text, and agree to the same with an amendment, as follows:
In lieu of the matter stricken and inserted by said amendment, insert:
That the following sums are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2006, and for other purposes, namely:

TITLE I-EXPORT AND INVESTMENT ASSISTANCE

EXPORT-IMPORT BANK OF THE UNITED STATES

INSPECTOR GENERAL OF THE EXPORT-IMPORT BANK

For necessary expenses of the Office of Inspector General in carrying out the provisions of the Inspector General Act of 1978, as amended, \$1,000,000, to remain available until September 30, 2007.

EXPORT-IMPORT BANK PROGRAM ACCOUNT

The Export-Import Bank of the United States is authorized to make such expenditures within the limits of funds and borrowing authority available to such corporation, and in accordance with law, and to make such contracts and commitments without regard *2 to fiscal year limitations, as provided by section 104 of the Government Corporation Control Act, as may be necessary in carrying out the program for the current fiscal year for such corporation: Provided, That none of the funds available during the current fiscal year may be used to make expenditures, contracts, or commitments for the export of nuclear equipment, fuel, or technology to any country, other than a nuclear-weapon state as defined in Article IX of the Treaty on the Non-Proliferation of Nuclear Weapons eligible to receive economic or military assistance under this Act, that has detonated a nuclear explosive after the date of the enactment of this Act: Provided further, That notwithstanding section 1(c) of Public Law 103-428, as amended, sections 1(a) and (b) of Public Law 103-428 shall remain in effect through October 1, 2006.

SUBSIDY APPROPRIATION

***81 TITLE II-BILATERAL ECONOMIC ASSISTANCE**

United States Agency for International Development

CHILD SURVIVAL AND HEALTH PROGRAMS FUND**(INCLUDING TRANSFER OF FUNDS)**

The conference agreement provides \$1,585,000,000 for the "Child Survival and Health Programs Fund" instead of \$1,497,000,000 as proposed by the House or \$1,659,000,000 as proposed by the Senate. The conference agreement includes not to exceed \$350,000 for monitoring and oversight as proposed by the Senate, rather than \$250,000 as proposed by the House.

As in previous years, the conference agreement includes language allocating the "Child Survival and Health Programs Fund" among six program categories. A definition of program categories and their components can be found on pages 9 through 11 of House Report 107-142 and under the heading "Family Planning/Reproductive Health" on page 12 of Senate Report 107-58.

Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

CHILD SURVIVAL AND HEALTH PROGRAMS FUND

[Budget authority in thousands of dollars]

	Conference agreeemen
Child Survival/Maternal Health (The Vaccine Fund)	360,000 [70,000]
Vulnerable Children	30,000
Family Planning/Reproductive Health	375,000
HIV/AIDS	350,000
Microbicides	[40,000]
IAVI	[29,000]
Other Infectious Diseases	220,000
TB	[80,000]
Malaria	[100,000]
Surveillance/OID	[25,000]
Neglected Diseases	[15,000]
Global Fund to Fight AIDS, Tuberculosis and Malaria	250,000
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Total	1,585,000

A table describing HIV/AIDS, TB, and malaria allocations by account is at the beginning of this statement of the managers. Again this year, no funding for HIV/AIDS programs in the 15 Emergency Plan for AIDS Relief "focus" countries is appropriated in this account. Funding for the "focus" countries is appropriated under the heading "Global HIV/AIDS Initiative". The narrative for HIV/AIDS funding is under the heading "Global HIV/AIDS Initiative".

THE GLOBAL FUND

The conference agreement includes a total of \$450,000,000 for the Global Fund: \$250,000,000 from this account, and \$200,000,000 from the Global HIV/AIDS Initiative account.

The conferees note that, of the funding committed by the Global Fund to recipient countries, approximately 56 percent will be for *82 HIV/AIDS interventions, 31 percent for malaria interventions, and 13 percent for TB or combined TB/AIDS interventions. The

conferees have used these percentages to estimate the portion of the United States contribution to the Global Fund that is likely to be attributed for each disease.

***94 SUPPORT FOR COUNSEL**

The conferees are aware that under certain circumstances jurisdictions overseas require the victim of a crime to participate in the prosecution of the crime. The conferees believe that the language of section 5(l) of the Peace Corps Act could support the use of funds appropriated to the Peace Corps to enable the Peace Corps to employ local counsel for volunteers in proceedings where they are parties or complaining witnesses. The conferees urge the Peace Corps to work with the committees of substantive jurisdiction to seek additional clarity on this issue in the Peace Corps Act.

AVIAN INFLUENZA

The conferees expect the Peace Corps to use funding appropriated under this heading for expenses relating to avian influenza.

MILLENNIUM CHALLENGE CORPORATION

The conference agreement provides \$1,770,000,000 for the Millennium Challenge Corporation (MCC) instead of \$1,750,000,000 as proposed by the House and \$1,800,000,000 as proposed by the Senate.

The conference agreement makes available up to \$75,000,000 for administrative expenses as proposed by the House, instead of \$70,000,000 as proposed by the Senate. Additionally, the conferees include language proposed by the Senate, and similar to that proposed by the House, providing up to 10 percent of funds for threshold country assistance.

The conference agreement includes a number of provisions proposed by both the House and Senate requesting a report on the threshold country program, extending section 605(e)(4) of the Millennium Challenge Act of 2003, and requiring that the MCC fully fund multi-year compacts for fiscal year 2006.

The conferees understand that strong participation from indigenous civil society organizations is critical to increasing public support for and ensuring that the MCC successfully meets its intended goals of economic growth and poverty reduction. Such participation would also strengthen the nascent democratic processes in eligible countries, contribute to the MCC criteria of good governance, and provide opportunities for discussion of how best to achieve national priorities of economic growth and poverty reduction.

The conferees request that the Chief Executive Officer of the MCC submit a report that describes and assesses the record of national governance structures to take into account indigenous civil society input within countries that have completed compact negotiations. The report should be submitted to the relevant committees of jurisdiction identified in the MCC authorization no later than March 31, 2006.

Department of State

GLOBAL HIV/AIDS INITIATIVE

The conference agreement provides \$1,995,000,000 for "Global HIV/AIDS Initiative" instead of \$1,920,000,000 as proposed by the House and \$2,020,000,000 as proposed by the Senate.

*95 Funds in this account are allocated in the following table and, as stipulated in section 596, any change to these allocations is subject to the regular reprogramming procedures of the Committees on Appropriations:

GLOBAL HIV/AIDS INITIATIVE

[Budget authority in thousands of dollars]

	Conference agreement
Focus Countries	1,232,000
Central programs	393,000
Global Fund	200,000
Central Technical Support and Management (Administrative Expenses)	59,000 [12,000]
Non-focus countries	50,000
Strategic Information/Evaluation	31,000
UNAIDS	30,000

Total	1,995,000

ACCOUNT STRUCTURE

The conferees note that all funding for the 15 Global HIV/AIDS Initiative "focus" countries is appropriated in this account. The conferees strongly encourage the Office of the Global AIDS Coordinator to continue its policy of providing additional funding to "non-focus" countries and have included \$50,000,000 for "non-focus" countries in this account.

HIV AND NUTRITION

The conferees urge the Office of the Global AIDS Coordinator to develop and implement a strategy, in coordination with groups responsible for issues of nutrition, such as USAID, the Department of Agriculture, the World Food Program, and the Food and Agriculture Organization, to address the nutritional requirements of those on antiretroviral therapy. The conferees ask the Office of the Global AIDS Coordinator, in collaboration with USAID, to consult with and report to the Committees on Appropriations not later than 180 days after the enactment of this Act on the following for the Global HIV/AIDS Initiative "focus" countries:

- (a) The number of Global HIV/AIDS Initiative beneficiaries on antiretroviral therapy;
- (b) The impact of food and nutrition on care and treatment; and
- (c) A strategy to address the nutritional requirements of persons receiving care and treatment.

TECHNICAL AND PROGRAMMATIC SUPPORT

The conferees urge USAID and the Office of the Global AIDS Coordinator to improve coordination for programs to fight HIV and TB, including through increased funding to organizations such as the World Health Organization which can provide technical support to countries.

The conferees continue to support the country planning process and recommend that the Office of the Global AIDS Coordinator consider support for organizations, such as Dream for Africa, which develop civil society and local health outreach.

*96 DEMOCRACY FUND